

REMARKS

Applicants concurrently file a Petition for Extension of Time for a one month extension of time, and corresponding extension of time fee.

Claims 1, 3-8, 10-15, and 17 are all of the claims presently pending in the application. Claims 2, 9, and 16 were not rejected on prior art grounds. Presumably, claims 2, 9, and 16 are allowable once the § 112 informalities discussed below are overcome. Claims 1, 3, 5-6, 8, 10, 12-13, 15 and 17 have been amended to more particularly define the invention. Allowable claims 2, 9, and 16 have been canceled without prejudice or disclaimer and incorporated into their independent claims. Claims 18-20 have been canceled without prejudice or disclaimer.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-17 stand rejected under 35 U.S.C. § 112, first paragraph because the specification does not reasonably provide enablement for the process as generically claimed. Claims 1 and 7 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Ishikawa et al. (U.S. Patent No. 6,116,055) (hereinafter "Ishikawa"). Claims 1, 7, 8, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Antos et al. (U.S. Patent No. 6,289,698) (hereinafter "Antos").

These rejections are respectfully traversed in the following discussion.

I. THE 35 USC §112, FIRST PARAGRAPH REJECTION

Claims 1-17 stand rejected under 35 U.S.C. §112, first paragraph. The claims have been amended, above, to overcome this rejection. Specifically, independent claims 1, 8, and 15 have been amended to include the phrase "*a porous-glass material having a core inside the porous-glass material*".

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

II. THE PRIOR ART REFERENCES

The Examiner alleges that Ishikawa teaches the claimed invention of claims 1 and 7. Furthermore, the Examiner alleges that Antos would have been combined with Ishikawa to teach the claimed invention of claims 1, 7-8, and 14-15. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the cited prior art references.

That is, neither Ishikawa nor Antos, nor any combination thereof, teaches or suggests a method for sintering a porous glass-material having a core inside the porous-glass material, wherein “*said predetermined range of said outer diameter (d) of said porous-glass material comprises substantially $0.5xD \leq d \leq 0.9xD$* ” as recited in claim 1 and similarly recited in claims 8 and 15.

Applicants have amended claims 1, 8, and 15 to incorporate the subject matter of claims 2, 9, and 16, respectively. Claims 2, 9, and 15 were only rejected under 35 U.S.C. §112, first paragraph. As indicated above, claims 1-17 have been amended to overcome the §112, first paragraph rejection. Therefore, Applicants respectfully submit that claims 1, 8 and 15, having incorporated the allowable subject matter of claims 2, 9 and 15, respectively, are patentable over the cited prior art references.

Therefore, in view of the amendments to the claims, Applicants respectfully submit that the Examiner’s rejections of claims 1-17 are rendered moot. Applicants submit that the claimed invention recites features not taught or suggested by the cited references. Therefore, the Examiner is respectfully requested to reconsider and withdraw the prior art rejections.

III. FORMAL MATTERS AND CONCLUSION

In response to the Examiner’s objections, the abstract and the title have been amended in a manner believed fully responsive to all points raised by the Examiner. The title has been amended to be more indicative of the invention to which the claims pertain and to overcome the Examiner’s objection to the title.

In view of the foregoing, Applicants submit that claims 1, 3, 5-6, 8, 10, 12-13, 15 and 17, all of the claims presently pending in the application, are patentably distinct

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over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: November 28, 2004



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